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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 RUBEN P. PEREZ,

11 Petitioner,

12 vs.

13 BRIAN WILLIAMS, et al.,

14 Respondents.
15

Case No. 2:16-cv-00830-RFB-GWF

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE
REPLY IN SUPPORT OF MOTION
TO DISMISS (ECF NO. 26)**

(FIRST REQUEST)

16 Respondents move this Court for an enlargement of time of 14 days, up to and including August
17 31, 2018, in which to file their Reply to In Support of Motion to Dismiss (ECF No. 26). This Motion is
18 made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon the
19 attached affidavit of counsel.

20 This is the first enlargement of time sought by Respondents for the Reply and is brought in good
21 faith and not for the purpose of delay.

22 DATED August 16, 2018

23 Submitted by:

24 ADAM PAUL LAXALT
Attorney General

25 By: /s/ Natasha M. Gebrael
26 Natasha M. Gebrael (Bar. No. 14367)
27 Deputy Attorney General
28

1 **DECLARATION OF NATASHA M. GEBRAEL**

2 STATE OF NEVADA)
3) ss:
4 COUNTY OF CLARK)

5 I, Natasha M. Gebrael, being first duly sworn under oath, depose and state as follows:

6 1. I am an attorney licensed to practice law in all courts within the State of Nevada, and am
7 employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I have been
8 assigned to represent Respondents in *Ruben Perez v. Brian Williams, et al.*, Case No. 2:16-cv-00830-
9 RFB-GWF, and as such, have personal knowledge of the matters contained herein.

10 2. The Reply to Petitioner's Response to Motion to Dismiss is due to be filed on August 17,
11 2018.

12 3. This Motion is made in good faith and not for the purpose of delay.

13 4. I have been unable with due diligence to timely complete a Reply herein. In addition to
14 this case and about 25% of all federal habeas corpus cases in Southern Nevada, I am responsible for
15 approximately 25% of all state court habeas petitions that challenge time credits impacted by the Nevada
16 Supreme Court's recent decision in *Williams v. State of Nevada Dep't of Corrections*, 402 P.3d 1260
17 (Nev. 2017) including the responses to petitions, the hearings on each, and drafting the orders for such
18 petitions. Recently, in addition to the 200 cases set for deadlines over the last 60 days, another 200 cases
19 were set for deadlines in the next 60 days, with over 30-40 responses due per week. I am also responsible
20 for certain non-time credit state petitions and direct appeals to the Nevada Supreme Court arising out of
21 Attorney General prosecutions.

22 5. Moreover, I have firm pleading deadlines in various federal habeas cases including *Brass*
23 *v. Williams*, 2:13-cv-02020-GMN-VCR (due on August 23, 2018). The focus on this matter has delayed
24 me from timely filing a Reply In Support of Motion to Dismiss.

25 7. On August 15, 2018, I corresponded with Jeremy Baron, Esq., the federal public defender in this
26 matter and as a matter of professional courtesy, Attorney Baron indicated that he has no objection to the
27 extension of time. Attorney Baron's lack of objection should not be considered as a waiver of any
28 defenses, or construed as agreeing with the accuracy of the representations in this motion.

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8. Based on the foregoing, Respondents request an extension of time of 14 days to file a Reply In Support of Motion to Dismiss, through August 31, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 16, 2018.

/s/ Natasha M. Gebrael
Natasha M. Gebrael (Bar No. 14367)

APPROVED:

DATED this 17th day of August, 2018.

RICHARD F. BOULWARE, II
United States District Judge

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The following participants in this case are registered electronic filing system users and will be served electronically:

/s/ M. Landreth
An employee of the Office of the Attorney General